

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT
AND MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE
RULES. See Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24.

FILED BY CLERK

JAN 15 2009

COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

THE STATE OF ARIZONA,

Appellee,

v.

GUILLERMO CHAVEZ,

Appellant.

)
)
) 2 CA-CR 2007-0397
) DEPARTMENT B
)

) MEMORANDUM DECISION
) Not for Publication
) Rule 111, Rules of
) the Supreme Court
)

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. CR-20061782

Honorable Howard Fell, Judge Pro Tempore

AFFIRMED

Thomas Jacobs

Tucson
Attorney for Appellant

V Á S Q U E Z, Judge.

¶1 A jury found appellant Guillermo Chavez guilty of four counts of aggravated assault; aggravated driving under the influence of an intoxicant (DUI) while his driver's license was suspended, revoked, or restricted; aggravated driving with a blood alcohol concentration (BAC) of .08 or more while his driver's license was suspended, revoked, or restricted; aggravated DUI having been convicted of two or more prior DUI violations;

aggravated driving with a BAC of .08 or more having been convicted of two or more prior DUI violations; criminal damage in the amount of \$10,000 or more; and endangerment. The trial court sentenced Chavez to a combination of concurrent and consecutive, presumptive prison terms totalling 21.25 years. Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), and *State v. Leon*, 104 Ariz. 297, 451 P.2d 878 (1969), stating he has diligently reviewed the record and has found no arguable issues to raise on appeal. Counsel has asked us to search the record for fundamental error. Chavez has not filed a supplemental brief.

¶2 We view the evidence in the light most favorable to sustaining the verdicts. *State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999). There was sufficient evidence, including numerous stipulations entered into between Chavez and the state, to support the jury's findings of guilt. See A.R.S. §§ 13-1204, 28-1381, 28-1383, 13-1602, and 13-1201.

¶3 Pursuant to our obligation under *Anders*, we have searched the record for fundamental, reversible error and have found none. Therefore, we affirm Chavez's convictions and sentences.

GARYE L. VÁSQUEZ, Judge

CONCURRING:

PETER J. ECKERSTROM, Presiding Judge

J. WILLIAM BRAMMER, JR., Judge